United Nations E/CN.15/2001/14/Rev.2

Economic and Social Council

Distr.: General
6 September 2001

Original: English

Commission on Crime Prevention and Criminal Justice
Resumed tenth session
Vienna, 6 and 7 September 2001
Agenda item 5
Follow-up to the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders

Revised draft plans of action for the implementation of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century

Note by the Secretariat

1. The "Vienna Declaration on Crime and Criminal Justice: Meeting the Challenges of the Twenty-first Century" was adopted by the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Vienna from 10 to 17 April 2000,[1] and endorsed by the General Assembly in its resolution 55/59 of 4 December 2000. In its resolution 55/60 of 4 December 2000, the Assembly requested the Secretary-General to prepare, in consultation with Member States, draft plans of action to include specific measures for the implementation and follow-up to the commitments undertaken in the Vienna Declaration, for consideration and action by the Commission on Crime Prevention and Criminal Justice at its tenth session.

2. At its 1st meeting, on 8 May 2001, the Commission at its tenth session decided to allocate six meetings of the Committee of the Whole to the consideration of the draft plans of action for the implementation of the Vienna Declaration (E/CN.15/2001/5). At the 14th meeting of the Commission, on 17 May 2001, its first Vice-Chairman, who also served as Chairman of the Committee of the Whole, reported to the Commission that, after 11 meetings, the Committee of the Whole had completed the consideration of the first six draft plans of action, namely, action against transnational organized crime, the plan of action against corruption, the plan of action against trafficking in persons, the plan of action against smuggling of migrants, the plan of action against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition and the plan of action against

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money-laundering. There remained outstanding a question in the plan of action against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition because representatives had not had adequate time to consider a proposal relating to one part of the text of that plan of action. With that exception, the Committee of the Whole had reached consensus on the draft plans of action listed above. However, because of the extent and scope of the document and the complexity of the objectives in the draft plans of action, the Committee of the Whole was not able to complete its consideration of the remaining draft plans of action. The Commission expressed its strong appreciation to the Chairman of the Committee of the Whole for the work that had been accomplished.

3. Following discussion, the Commission considered that the draft plans of action should be approved and adopted as a package and accordingly did not proceed to consider the six draft plans of action discussed in the Committee of the Whole. The Commission decided to hold an inter-sessional meeting from 3 to 5 September 2001 to examine the draft plans of action, starting, for practical reasons, with those draft plans of action which were not discussed by the Committee of the Whole. The secretariat was requested to prepare a new document, replacing document E/CN.15/2001/5, which would reflect and take into account the discussion in the Committee of the Whole on the draft plans of action. The document should be made available to Member States six weeks prior to the inter-sessional meeting. Those Governments which had submitted additional proposals for the consideration of the Commission were requested to resubmit them; those submissions should be succinct and in line with the new format agreed upon in the Committee of the Whole.

4. The inter-sessional meeting of the Commission held in Vienna from 3 to 5 September 2001 considered a new document, made available to Member States more than six weeks prior to the meeting, which reflected the discussions in the Committee of the Whole on the draft plans of action (E/CN.15/2001/14). Sections XII–XIV of that document contained three additional draft plans of action prepared by Finland at the request of the Commission. Section XV contained one additional draft plan of action prepared by Canada at the request of the Commission.

5. The inter-sessional meeting of the Commission completed its consideration of the remaining nine draft plans of action: action against terrorism, action on crime prevention, action on witnesses and victims of crime, action on prison overcrowding and alternatives to incarceration, action against high-technology and computer-related crime, action on juvenile justice, action on the special needs of women as criminal justice practitioners, victims, prisoners and offenders, action on standards and norms and action on restorative justice. As requested by the Commission, the inter-sessional meeting also considered the outstanding question in the draft plan of action against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition. It also reviewed the draft plan of action against corruption, in the light of the draft resolution contained in chapter II of the report of the Meeting of the Intergovernmental Open-Ended Expert Group to Prepare Draft Terms of Reference for the Negotiation of an International Legal Instrument against Corruption (A/AC.260/2). The revised draft plans of action for the consideration of the Commission are annexed to the present note.

6. The representative of Finland introduced a draft resolution entitled "Plans of action for the implementation of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century" (E/CN.15/2001/L.13), following informal consultations.

Notes

[1] *Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Vienna, 10-17 April 2000: report prepared by the Secretariat* (United Nations publication, Sales No. E.00.IV.8), chap. I, resolution 1.

Annex

Revised draft plans of action for the implementation of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century

I. Action against transnational organized crime

1. In order to implement and follow up the commitments undertaken pursuant to paragraphs 5, 6, 7 and 10 of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century (General Assembly resolution 55/59, annex) and to facilitate the signature, ratification, entry into force and progressive implementation of the United Nations Convention against Transnational Organized Crime (Assembly resolution 55/25, annex I) and the protocols thereto, the specific measures below are recommended.

A. National actions

2. States that have not signed the Convention and the protocols thereto should do so as soon as possible, and States that have signed those legal instruments should make every effort to ratify them as soon as possible. Each State will set priorities for the effective implementation of the Convention and the protocols thereto and will proceed as appropriate and as expeditiously as possible until all provisions of all of those legal instruments are in full force and operation. Individually and collectively, States will endeavour, as appropriate, to support the following actions:

(a) The development of legislation creating or strengthening sanctions, investigative powers, criminal procedures and other matters;

(b) Building capacity, including for the purpose of cooperation, through the strengthening of crime prevention and criminal justice systems, and the establishment or expansion of agencies responsible for the prevention, detection and control of transnational organized crime;

(c) The establishment or improvement of training programmes for judges, prosecutors, law enforcement personnel and other individuals or agencies responsible for the prevention, detection and control of transnational organized crime;

(d) The development and sharing of information and analytical expertise on methods and activities and general trends in organized crime and on the identities, whereabouts and activities of specific individuals or groups suspected of involvement in organized crime, to the extent consistent with national laws and international agreements and arrangements;

(e) The general promotion of effective crime control strategies.

3. States will also endeavour, as appropriate:

(a) To support the efforts of the Centre for International Crime Prevention of the Secretariat to promote ratification of the Convention and the protocols thereto through regional seminars and provide pre- and post-ratification assistance to

signatory States by providing financial contributions, expertise and/or other forms of assistance;

(b) To increase in a sustained manner their overall level of extrabudgetary contributions and strengthen and broaden the donor base of the Centre in order to ensure the availability of adequate material and technical resources for projects in support of the Convention and the protocols thereto, as well as other projects and programmes.

(c) To strengthen international cooperation in order to create a conducive environment for the fight against organized crime, promoting growth and sustainable development and eradicating poverty and unemployment.

B. International actions

4. The Centre for International Crime Prevention will, in cooperation with other relevant international and regional organizations, as appropriate, and in accordance with General Assembly resolution 56/...:

(a) Organize high-level seminars to increase awareness of the Convention and the protocols thereto on the part of States, intergovernmental and non-governmental organizations and other key groups or individuals;

(b) Assist States in the development of legislation and regulations and provide other expertise or technical cooperation to facilitate the ratification and implementation of the legal instruments, on request;

(c) Assist States in the establishment or intensification of bilateral and multilateral cooperation in the areas covered by the Convention, in particular those involving the use of modern communication technologies, on request;

(d) Carry out the regular collection and analysis of data on transnational organized crime, in consultation with interested States;

(e) Maintain a database to permit a more comprehensive in-depth analysis of patterns and trends and geographical mapping of the strategies and activities carried out by organized criminal groups, and of best practices to combat transnational organized crime, in consultation with interested States;

(f) Maintain a database of relevant national legislation;

(g) Support the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime in the development of rules and procedures for the Conference of the Parties to the Convention;

(h) Provide secretariat and general support to the Conference of the Parties to the Convention.

II. Action against corruption

5. In order to implement and follow up the commitments undertaken pursuant to paragraph 16 of the Vienna Declaration, to develop an effective international legal instrument against corruption and to develop and implement other measures and

programmes to prevent and combat corruption, the specific measures below are recommended.

A. National actions

6. Individually and collectively, States will endeavour, as appropriate, to support the following actions:

(a) Full participation in sessions of the ad hoc committee for the negotiation of the United Nations convention against corruption established pursuant to General Assembly resolution 55/61 of 4 December 2000;

(b) Promoting the full and effective participation of developing countries, in particular least developed countries, in the deliberations of the ad hoc committee; this may be done through the provision of extrabudgetary resources to the Centre for International Crime Prevention;

(c) Efforts to finalize the future United Nations convention against corruption by the end of 2003, taking into consideration existing legal instruments against corruption, and wherever relevant, the United Nations Convention against Transnational Organized Crime;

(d) Commencing, when appropriate, the development of domestic legislative, administrative and other measures to facilitate the ratification and effective implementation of the future United Nations convention against corruption, including both domestic measures against corruption and measures to support effective cooperation with other States.

7. States will endeavour, as appropriate, to address domestic corruption with the following measures:

(a) The assessment of domestic types, causes, effects and costs of corruption;

(b) The development of national strategies and action plans against corruption, based on the broad participation of stakeholders from government and civil society;

(c) The maintenance or establishment of adequate domestic offences, investigative powers and criminal procedures to deal with corruption and related problems;

(d) The strengthening of national governance systems and institutions, in particular criminal justice institutions, to create and/or ensure greater independence from and resistance to corrupt influences;

(e) The maintenance or establishment of institutions and structures to achieve transparency and public accountability in government, business and other key social and economic sectors;

(f) The development of expertise in anti-corruption measures and the education and training of officials about the nature and consequences of corruption and how to combat it effectively.

8. States will endeavour, as appropriate, to address transnational corruption with the following measures:

(a) Signature, ratification and implementation of existing international instruments against corruption, as appropriate;

(b) Proper follow-up to international anti-corruption measures and recommendations at the national level, in conformity with national law;

(c) Development and enhancement of domestic capacity to provide international cooperation in anti-corruption matters, including addressing the question of the repatriation of proceeds of corruption;

(d) Raising awareness on the part of relevant government departments or ministries such as ministries of justice, the interior, foreign affairs and development cooperation as to the seriousness of the problems posed by transnational corruption and the need to support effective measures against it;

(e) Provision of material, technical or other support to other States in anti-corruption programmes, both directly and through financial support to the global programme against corruption;

(f) Reduction of opportunities for the transfer and concealment of proceeds of corruption and addressing the question of returning such proceeds to their countries of origin; actions may include ensuring the implementation of measures against money-laundering pursuant to the United Nations Convention against Transnational Organized Crime and other international legal instruments and the development and implementation of new measures.

B. International actions

9. The Centre for International Crime Prevention will, in cooperation with other relevant international and regional organizations, as appropriate, and in accordance with General Assembly resolution 56/...:

(a) Provide substantive expertise and full secretariat services to the ad hoc committee for the negotiation of the United Nations convention against corruption in the course of its work;

(b) Ensure, with the assistance of Member States, the full and effective participation of developing countries, in particular least developed countries, in the work of the ad hoc committee, including by covering travel and local expenses;

(c) Provide to States, on request, technical cooperation to facilitate the ratification and implementation of the future United Nations convention against corruption;

(d) Assist States in the establishment or intensification of bilateral and multilateral cooperation in the areas to be covered by the future United Nations convention against corruption;

(e) Maintain a database of existing national assessments of corruption in a standardized format and a kit of best practices against corruption;

(f) Facilitate the sharing of experience and expertise among States;

(g) Revise and update the manual on practical measures against corruption;[a]

(h) Develop technical cooperation projects to prevent and combat corruption in order to assist States, upon request, in implementing such projects under the global programme against corruption.

III. Action against trafficking in persons

10. In order to implement and follow up the commitments undertaken pursuant to paragraph 14 of the Vienna Declaration, to take immediate and effective measures to prevent and combat trafficking in persons, especially women and children, and to promote cooperation between States in this respect, the specific measures below are recommended.

A. National actions

11. Individually and collectively, States will endeavour, as appropriate, to support the following actions:

(a) To develop and share information and analytical expertise on the nature and extent of domestic and regional trafficking activities and on the identities, means and methods of known traffickers or trafficking organizations, to the extent consistent with national laws and international agreements and arrangements;

(b) To adopt or strengthen, as necessary, effective laws and procedures for the prevention and punishment of trafficking in persons and effective measures for the support and protection of victims and witnesses of such trafficking;

(c) To consider implementing measures to provide for the protection and physical, psychological and social recovery of victims of trafficking in persons;

(d) To support and cooperate with national and international non-governmental and other organizations and elements of civil society, as appropriate, in matters relating to trafficking in persons;

(e) To review and assess the effectiveness of domestic measures against trafficking in persons and to consider making that information available for comparison and research into the development of more effective measures against such trafficking;

(f) To develop and disseminate public information about trafficking in persons to educate potential victims of such trafficking;

(g) To strengthen capacity for international cooperation to develop and implement measures against trafficking in persons;

(h) To consider providing voluntary contributions to support the implementation of the global programme against trafficking in human beings;

(i) To provide increased resources to support the development and implementation of national and regional strategies against trafficking in persons.

B. International actions

12. The Centre for International Crime Prevention will, in cooperation with other relevant international and regional organizations, as appropriate, and in accordance with General Assembly resolution 56/...:

(a) Develop technical cooperation projects to prevent and combat trafficking in persons and to protect the victims and witnesses of such trafficking, in order to assist States, upon request, in implementing such projects under the global programme against trafficking in human beings;

(b) Maintain a global database containing information about the nature and extent of trafficking in persons and best practices for preventing and controlling it, in cooperation with the United Nations Interregional Crime and Justice Research Institute;

(c) Develop tools to assess the effectiveness of measures against trafficking in persons.

IV. Action against smuggling of migrants

13. In order to implement and follow up the commitments undertaken pursuant to paragraph 14 of the Vienna Declaration and to take immediate and effective measures to prevent and combat the smuggling of migrants, and to promote cooperation between States in this respect, the specific measures below are recommended.

A. National actions

14. Individually and collectively, States will endeavour, as appropriate, to support the following actions:

(a) To develop and share information and analytical expertise on the nature and extent of domestic and regional activities relating to the smuggling of migrants and on the identities, means and methods of known smugglers or smuggling organizations, to the extent consistent with national laws and international agreements and arrangements;

(b) To enact or strengthen, as necessary, effective laws for the prevention and punishment of smuggling of migrants and measures for the support and protection of the rights of smuggled migrants and of witnesses in smuggling cases, in conformity with the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime (General Assembly resolution 55/25, annex III);

(c) To implement measures to protect the basic rights of smuggled migrants and, within their means, of witnesses in smuggling cases, to protect them from violence and take appropriate measures in cases where, in the course of being smuggled, the lives, safety or human dignity of migrants are placed in jeopardy;

(d) To support and cooperate with national and international non-governmental and other organizations and elements of civil society, as appropriate, in matters relating to the smuggling of migrants;

(e) To review and assess the effectiveness of domestic measures against the smuggling of migrants and consider making that information available for comparison and research into the development of more effective measures;

(f) To develop and disseminate public information about smuggling of migrants to educate officials, the general public and potential migrants about the true nature of such smuggling, including the involvement of organized criminal groups and the risks posed to smuggled migrants;

(g) To strengthen capacity for international cooperation to develop and implement measures against the smuggling of migrants.

B. International actions

15. The Centre for International Crime Prevention will, in cooperation with other relevant international and regional organizations, as appropriate, and in accordance with General Assembly resolution 56/..., develop technical cooperation projects to prevent and combat the smuggling of migrants, while protecting the rights of smuggled migrants, in order to assist States, upon request, in implementing such projects.

V. Action against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition

16. In order to implement and follow up the commitments undertaken pursuant to paragraph 15 of the Vienna Declaration and to take such immediate and effective measures as are appropriate to reduce the incidence of the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition and related criminal activities, in accordance with the terms of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime (General Assembly resolution 55/255, annex), the specific measures below are recommended.

A. National actions

17. Individually and collectively, States will endeavour, as appropriate, to support the following actions:

(a) Adopting and strengthening, as necessary, national legislation and procedures, and in particular procedures regarding criminal offences and procedures for the confiscation, seizure, forfeiture and disposal of firearms, their parts and components and ammunition;

(b) Implementing requirements to keep records regarding firearms, the marking of firearms and the deactivation of firearms;

(c) Establishing or maintaining effective systems for the licensing or authorization of the import, export and transit of firearms, their parts and components and ammunition;

(d) Establishing appropriate legal and administrative measures with a view to preventing the loss, theft or diversion of firearms, for the exchange of relevant information relating to firearms and for bilateral, regional and international cooperation, including by means of information exchange and technical assistance;

(e) Considering the establishment of an effective regulatory framework for the activities of those engaged in the brokering of transactions involving the import, export or transit of firearms.

B. International actions

18. The Centre for International Crime Prevention will, in cooperation with other relevant international and regional organizations, as appropriate, and in accordance with General Assembly resolution 56/...:

(a) Develop technical cooperation projects to prevent, combat and eradicate the illicit trafficking in firearms, their parts and components and ammunition and related activities, in order to assist requesting States, in particular developing countries and countries with economies in transition, in implementing such projects;

(b) Establish and maintain a global database of existing national and regional firearms regulations and related law enforcement practices, as well as best practices relating to firearms control measures.

VI. Action against money-laundering

19. In order to implement and follow up the commitments undertaken pursuant to paragraph 17 of the Vienna Declaration and to develop, adopt and implement effective domestic legislation, regulations and administrative measures to prevent, detect and combat, in cooperation with other States, domestic and transnational money-laundering, in accordance with the relevant international instruments, in particular the United Nations Convention against Transnational Organized Crime, and using as a guideline the relevant initiatives of regional, interregional and multilateral organizations against money-laundering, the specific measures below are recommended.

A. National actions

20. Individually and collectively, States will endeavour, as appropriate, to support the following actions:

(a) The adoption of comprehensive measures to deal effectively with the problem of money-laundering in all its aspects, with the participation of all relevant ministries, departments and agencies and in consultation with representatives of the financial sector;

(b) Efforts to ensure that domestic legislation adequately criminalizes activities and methods used to conceal, convert or transfer the proceeds of crime in order to disguise the nature or origin of the proceeds, in accordance with article 6 of the United Nations Convention against Transnational Organized Crime;

(c) Efforts to ensure that adequate regulatory, inspection and investigative powers exist to detect and identify money-laundering activities;

(d) Efforts to ensure that adequate investigative and judicial powers exist to permit the identification, tracing, seizure, confiscation and disposal of proceeds of crime;

(e) Efforts to ensure that adequate legal powers exist and administrative resources are available to permit timely and effective responses to be made to requests from other States in cases involving money-laundering;

(f) The support of and participation in domestic and international research efforts to monitor and analyse trends in money-laundering and international policy responses;

(g) Consistent with existing multilateral arrangements, projects or programmes to assist other States in developing, drafting or upgrading legislation, regulations and administrative procedures against money-laundering, including the Global Programme against Money-Laundering and other activities or projects that support the implementation of the United Nations Convention against Transnational Organized Crime;

(h) Activities or programmes to train officials or share expertise in combating money-laundering, such as training workshops and seminars.

B. International actions

21. The Centre for International Crime Prevention will, in cooperation with other relevant international and regional organizations, as appropriate, and in accordance with General Assembly resolution 56/..., develop technical cooperation activities to prevent and combat money-laundering in order to assist requesting States in implementing those activities.

VII. Action against terrorism

22. In order to implement and follow up the commitments undertaken in paragraph 19 of the Vienna Declaration and to take effective, resolute and speedy measures to prevent and combat criminal activities carried out for the purpose of furthering terrorism in all its forms and manifestations, the specific measures below are recommended.

A. National actions

23. Individually and collectively, States will endeavour, as appropriate, to support the following actions:

(a) To sign and ratify the international instruments dealing with terrorism;

(b) To conduct research and gather information about criminal activities carried out for the purpose of furthering terrorism in all its forms and manifestations, including the identities, whereabouts and activities of specific individuals or groups involved in such activities, and support similar work at the international level, to the extent consistent with national laws and international agreements and arrangements;

(c) To review their relevant domestic laws and procedures with a view to achieving effective domestic measures against terrorism and related crime, enhanced ability to cooperate in appropriate cases with other States and the effective implementation of relevant international instruments;

(d) To foster cooperation between anti-terrorism agencies and agencies fighting crime. This may include the establishment of liaison offices or other channels of communication between anti-terrorism agencies and agencies fighting crime in order to enhance information exchange;

(e) To consider voluntary contributions to support the implementation of the terrorism-prevention activities of the Centre.

B. International actions

24. The Centre for International Crime Prevention will, in cooperation with other relevant international and regional organizations, in coordination with the Office of Legal Affairs of the Secretariat, as appropriate, and in accordance with General Assembly resolution 56/...:

(a) Take steps to raise awareness of the relevant international instruments, encourage States to sign and ratify such instruments and, where feasible, provide assistance in implementing such instruments to States upon request;

(b) In cooperation with Member States, take measures to raise public awareness of the nature and scope of international terrorism and its relationship to crime, including organized crime, where appropriate;

(c) Continue to maintain existing databases on terrorism;

(d) Offer analytical support to Member States by collecting and disseminating information on the relationship between terrorism and related criminal activities;

(e) If further developments so require, draw up concrete proposals for consideration by Member States to strengthen its capacity to develop, within its mandate, and administer the terrorism prevention component of its activities.

VIII. Action on crime prevention

25. In order to implement and follow up the commitment, undertaken in paragraph 25 of the Vienna Declaration, to develop comprehensive international, regional, national and local crime prevention strategies, the specific measures below are recommended.

A. National actions

26. Individually and collectively, States will endeavour, as appropriate, to support the following actions:

(a) Promotion of close cooperation between the various sectors of society, including justice, health, education, social services and housing, which are necessary to support effective community-based crime prevention;

(b) Close cooperation with and provision of assistance to elements of civil society in the development, adoption and promotion of crime prevention initiatives, taking into account the importance of proceeding on the basis of proven practices wherever possible and of selecting the appropriate balance between various approaches to community-based crime prevention;

(c) Encouragement of assessment of the effectiveness of crime prevention programmes;

(d) Development of practices that seek to prevent crime victims from being victimized once again;

(e) Development and implementation of situational and other crime prevention programmes, bearing in mind the need to avoid any infringement of civil liberties;

(f) Collaboration with other Governments and non-governmental organizations in the development and dissemination of successful and innovative crime prevention initiatives and specialized knowledge and expertise in crime prevention practices, including public awareness and education campaigns about effective crime prevention and the contributions that individuals, families, communities and all levels of government may make to contribute to safer and more peaceful communities;

(g) Consideration to contribute to the collective efforts of countries to develop a comprehensive international strategy to advance community-based crime prevention;

(h) Take steps to incorporate into their national crime prevention strategies measures to prevent and combat crime associated with racism, racial discrimination, xenophobia and related forms of intolerance.

B. International actions

27. The Centre for International Crime Prevention will, in cooperation with other relevant international and regional organizations, as appropriate, and in accordance with General Assembly resolution 56/...:

(a) Develop and promote crime prevention expertise that has been carefully adapted from proven practices to the conditions in the countries where those practices are to be implemented, using seminars, training programmes and other means;

(b) Where requested to do so by the State or States involved, conduct public awareness and education campaigns about effective crime prevention and the respective contributions that individuals, families, communities and all levels of government may make towards safer and more peaceful communities;

(c) Endeavour to contribute to the exchange of information and experience in crime prevention for the purpose of encouraging new forms of collaboration between countries involving government, the community and non-governmental organizations;

(d) Assess the evolution and globalization of crime and prepare responses to it through innovative and effective crime prevention initiatives, that take account of the impact of new technologies on crime and crime prevention;

(e) Continue coordinating studies on crime in urban areas and measures for its effective prevention, including the possible cultural and institutional differences in effective crime prevention;

(f) Encourage Member States to incorporate into international crime prevention strategies and norms measures to prevent and combat crime associated with racism, racial discrimination, xenophobia and related forms of intolerance, taking into account measures already taken by Member States;

(g) Develop technical cooperation projects in the area of crime prevention for requesting States and assist in their implementation;

(h) Develop a guide for policy makers and a handbook on proven practices in the area of crime prevention.

IX. Action on witnesses and victims of crime

28. In order to implement and follow up the commitments, undertaken in paragraph 27 of the Vienna Declaration, to review relevant practices by 2002 where possible, to develop action plans, support services and awareness campaigns for victims, to consider the establishment of funds for victims and to develop and implement witness protection policies, the specific measures below are recommended.

A. National actions

29. Individually and collectively, States will endeavour, as appropriate, to support the following actions:

(a) The conduct of national and regional studies on victims of crime in national justice systems;

(b) The use and application of the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, subject to the domestic legal systems of each State, taking into account the handbook on justice for victims and the guide for policy makers.

B. International actions

30. The Centre for International Crime Prevention will, in cooperation with other relevant international and regional organizations, as appropriate, and in accordance with General Assembly resolution 56/...:

(a) In its projects and programmes, take into account measures for the assistance and support of victims and witnesses, including those who are women, children or victims of trafficking in persons;

(b) Promote the establishment of funds for victims of crime;

(c) Promote proven practices in providing support and services for victims and witnesses using, for example, the International Victimology Website;

(d) Translate into the official languages of the United Nations and widely disseminate the guide for policy makers on the use and application of the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power and the handbook on justice for victims on the use and application of the Declaration and assist requesting States in applying those documents;

(e) Upon request, assist States in the development of new legislation on victims, using, inter alia, the international database established by the Government of the Netherlands;

(f) Where necessary, promote demonstration or pilot projects for the development, further development or establishment of victim services and other related operational activities.

X. Action on prison overcrowding and alternatives to incarceration

31. In order to implement and follow up the commitments undertaken in paragraph 26 of the Vienna Declaration to promote safe and effective alternatives to incarceration, the specific measures below are recommended.

A. National actions

32. Individually and collectively, States will endeavour, as appropriate, to support the following actions:

(a) The development of specific actions and time-bound targets to address prison overcrowding, recognizing that conditions in overcrowded prisons may affect the human rights of prisoners, including such actions as the adoption of effective measures to reduce pre-trial detention as far as possible; the introduction of appropriate alternatives to imprisonment; preferring non-custodial measures to imprisonment where possible; dealing with minor offences using options such as customary practice, mediation between concerned parties or the payment of civil reparations or compensation; and conducting public awareness and education campaigns on alternatives to imprisonment and how they work;

(b) Encouraging international and regional institutions, including financial institutions, to incorporate into their relevant technical cooperation programmes measures to reduce prison overcrowding, in accordance with national laws;

(c) Promoting and implementing good prison practice, taking into account international standards;

(d) Ensuring that national and international actions on prison overcrowding and alternatives to incarceration take into account and address any disparate impact that such actions may have on women and men.

B. International actions

33. The Centre for International Crime Prevention will, in cooperation with other relevant international and regional organizations, as appropriate, and in accordance with General Assembly resolution 56/...:

(a) Encourage international and regional institutions, including financial institutions, to incorporate into their relevant technical cooperation programmes measures to reduce prison overcrowding, in accordance with national laws;

(b) Promote national and international actions on prison overcrowding and alternatives to incarceration that take into account any disparate impact on women and men as well as any special needs;

(c) Upon request, provide assistance in the form of advisory services, needs assessment, capacity-building, training or other assistance to States, upon request, to enable them to improve prison conditions.

XI. Action against high-technology and computer-related crime

34. In order to implement and follow up the commitments, undertaken in paragraph 18 of the Vienna Declaration, to develop action-oriented policy recommendations for the prevention and control of high-technology and computer-related crime, taking into account the ongoing work in other forums and to enhance abilities to detect, prevent, investigate and prosecute such crimes, the specific measures below are recommended.

A. National actions

35. Individually and collectively, States will endeavour, as appropriate, to support the following actions:

(a) Criminalization of the misuse of information technologies, as appropriate and in accordance with national law, including, if necessary, the review of crimes such as fraud, in order to ensure that they apply in cases where computer and telecommunication media and networks are used to commit these offences;

(b) The development and implementation of rules and procedures, including on the exercise of jurisdiction, that would ensure that computer- and telecommunication-related crimes can be effectively detected and investigated at the national level and that effective cooperation can be obtained in multinational cases, taking into account national sovereignty, the need for effective law enforcement and the need to maintain effective protections for privacy and other related basic rights;

(c) Ensuring that law enforcement personnel are trained and equipped to be able to respond effectively and expeditiously to requests for assistance in the tracing of communications and other measures necessary for the detection and investigation of transnational high-technology and computer-related crimes;

(d) Engaging in domestic and international discussions on actions against high-technology and computer-related crime and the effects of technological change with industries involved in the development and deployment of computers, telecommunication equipment, network software and hardware and other relevant products and services. These discussions could include key areas such as:

(i) Issues relating to domestic and international regulation of the technologies and networks;

(ii) Issues relating to the incorporation of elements into new technologies, which are intended to prevent crime or facilitate the detection, investigation or prosecution of crime;

(e) The making of voluntary contributions, both bilaterally and through international and regional organizations, as appropriate, including in cooperation with the private sector, inter alia, in the form of technical expertise to assist other States in developing and implementing effective measures against high-technology and computer-related crime, including the measures referred to in subparagraphs (c) and (d) above.

B. International actions

36. The Centre for International Crime Prevention will, in cooperation with other relevant international and regional organizations, as appropriate, and in accordance with General Assembly resolution 56/...:

(a) Support national and international research activities to identify new forms of computer-related criminality and to assess the effects of such criminality in key areas such as sustainable development, protection of privacy and electronic commerce and the measures taken in response;

(b) Disseminate internationally agreed materials such as guidelines, legal and technical manuals, minimum standards, proven practices and model legislation to assist legislators and law enforcement and other authorities in the development, adoption and application of effective measures against high-technology and computer-related crime and offenders both in general and in specific cases;

(c) Promote, support and implement, as appropriate, technical cooperation and assistance projects. Such projects would bring together experts in crime prevention, computer security, criminal legislation and procedures, prosecution, investigative techniques and related matters with States seeking information or assistance in those areas.

XII. Action on juvenile justice

37. In order to implement and follow up the commitments, undertaken in paragraph 24 of the Vienna Declaration, the specific measures below are recommended.

A. National actions

38. Individually and collectively, States will endeavour, as appropriate to support the following actions:

(a) To give timely assistance to juveniles in difficult circumstances in order to prevent them from resorting to crime;

(b) To support the development of crime prevention practices that are focused on juveniles who are at risk of becoming delinquent or who are easy candidates for recruitment by criminal groups, bearing in mind the rights of such juveniles;

(c) To strengthen juvenile justice systems;

(d) To incorporate an integrated strategy for the prevention of youth crime and for juvenile justice in their national development plans;

(e) To promote the re-education and rehabilitation of juvenile offenders;

(f) To encourage, and where necessary, support the participation of civil society in the implementation of practices for the prevention of juvenile crime.

B. International actions

39. The Centre for International Crime Prevention will, in cooperation with other relevant international and regional organizations, as appropriate, and in accordance with General Assembly resolution 56/...:

(a) Upon request, develop technical cooperation projects to prevent youth crime, to strengthen juvenile justice systems and to improve the rehabilitation and treatment of juvenile offenders and assist States in implementing those projects;

(b) Ensure effective cooperation among the relevant United Nations entities and the other organizations mentioned in the Guidelines for Action on Children in the Criminal Justice System (Economic and Social Council resolution 1997/30, annex).

XIII. Action on the special needs of women in the criminal justice system

40. In order to implement and follow up the commitments undertaken in paragraphs 11 and 12 of the Vienna Declaration, and to review crime prevention and criminal justice strategies in order to identify and address any disparate impact of programmes and policies on women and men, the specific measures below are recommended.

A. National actions

41. Individually and collectively, States will endeavour, as appropriate, to support the following actions:

(a) To review, to evaluate and, if necessary, to modify their legislation, policies, procedures and practices relating to criminal matters, in a manner consistent with their legal systems, in order to ensure that women are treated fairly by the criminal justice system;

(b) To develop national and international crime prevention and criminal justice strategies that take into account the special needs of women as criminal justice practitioners, victims, witnesses, prisoners and offenders;

(c) To consider sharing with other States, via web sites or other media or forums, any proven practices concerning women as criminal justice practitioners, victims, witnesses, prisoners and offenders that take the special needs of women into account.

B. International actions

42. The Centre for International Crime Prevention will, in cooperation with other relevant international and regional organizations, as appropriate, and in accordance with General Assembly resolution 56/...:

(a) Collect and disseminate information and materials on violence against women in all of its forms and manifestations, as referred to in the Declaration on the Elimination of Violence against Women (General Assembly resolution 48/104), for the purpose of implementing its crime prevention and criminal justice programme, including technical assistance at the request of States;

(b) Work on issues relating to violence against women and to the removal of gender bias in the administration of criminal justice;

(c) Cooperate with all other relevant entities of the United Nations system regarding activities on issues relating to violence against women and to the removal

of gender bias in the administration of criminal justice and coordinate work on such issues;

(d) Consolidate and disseminate information on successful intervention models and preventive programmes at the national level;

(e) Continue to improve training concerning criminal justice and crime-prevention aspects of the human rights of women and issues of gender bias and violence against women for relevant United Nations staff members;

(f) Assist Member States upon request in utilizing the Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice (General Assembly resolution 52/86, annex).

XIV. Action on standards and norms

43. In order to implement and follow up the commitments undertaken in paragraph 22 of the Vienna Declaration and to promote the use and application, as appropriate, of the United Nations standards and norms in crime prevention and criminal justice in national law and practice, the specific measures below are recommended.

A. National actions

44. Individually and collectively, States will endeavour, as appropriate, to use and apply in national law and practice the United Nations standards and norms in crime prevention and criminal justice and to publish the *Compendium of United Nations Standards and Norms in Crime Prevention and Criminal Justice*[b] in the languages of their countries.

B. International actions

45. The Centre for International Crime Prevention will, in cooperation with other relevant international and regional organizations, as appropriate, and in accordance with General Assembly resolution 56/...:

(a) Update the *Compendium of United Nations Standards and Norms in Crime Prevention and Criminal Justice*;

(b) Promote the use and application of United Nations standards and norms in crime prevention and criminal justice, inter alia, by providing advisory services and technical cooperation to Member States on request, including assistance to Member States in criminal justice and law reform, organization of training for law enforcement and criminal justice personnel and support to the administration and management of penal and penitentiary systems, thus contributing to the upgrading of their efficiency and capabilities;

(c) Coordinate activities relating to the use and application of United Nations standards and norms in crime prevention and criminal justice between the Centre for International Crime Prevention and other relevant United Nations entities, taking into account bilateral and regional assistance programmes.

XV. Action on restorative justice

46. In order to implement and follow up the commitments undertaken in paragraph 28 of the Vienna Declaration and to encourage the development of restorative justice policies, procedures and programmes, the specific measures below are recommended.

A. National actions

47. Individually and collectively, States will endeavour, as appropriate, to support the following actions:

(a) To take into account Economic and Social Council resolution 2000/14 of 27 July 2000, entitled "Basic principles on the use of restorative justice programmes in criminal matters", when considering the desirability and the means of establishing common principles;

(b) Deal with offences, especially minor offences, according to customary practice in respect of restorative justice, where available and appropriate, provided that this meets human rights requirements and that those involved so agree;

(c) Use amicable means as provided by national law to deal with offences, especially minor offences, for example by using mediation, reparation or agreements whereby the offender compensates the victim;

(d) Promote a culture favourable to mediation and restorative justice among law enforcement, judicial and social authorities and local communities;

(e) Provide appropriate training for those involved in the development and implementation of restorative justice policies and programmes;

(f) Promote the re-education and rehabilitation of juvenile offenders by encouraging, where appropriate, the use of mediation, conflict resolution, conciliation and other methods of restorative justice as alternatives to judicial proceedings and custodial-based sanctions;

(g) Develop and implement restorative justice policies and programmes, taking into account existing international commitments with respect to victims, in particular the United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power;

(h) Promote cooperation between government and civil society, including relevant non-governmental organizations, to implement restorative justice programmes and to ensure public support for the use of restorative justice principles.

B. International actions

48. The Centre for International Crime Prevention will, in cooperation with other relevant international and regional organizations, as appropriate, and in accordance with General Assembly resolution 56/...:

(a) Exchange information on experiences and proven practices in the implementation and evaluation of programmes for restorative justice;

(b) Assist the Commission on Crime Prevention and Criminal Justice in considering the desirability and the means of establishing common principles on the use of restorative justice programmes in criminal matters;

(c) Convene a meeting of experts to examine proposals for further action in relation to restorative justice, including mediation.

Notes

[a] See Economic and Social Council resolution 1995/14, para. 6.

[b] United Nations publication, Sales No. E.92.IV.1 and corrigendum.